



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

BJG

Docket No: 3856-00

28 September 2000

LTCOL [REDACTED] USMC

[REDACTED]

Dear Colonel [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 September 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 30 August 2000, a copy of which is attached. They also considered your rebuttal letter dated 22 September 2000 with enclosure.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion in finding that your selection by the Fiscal Year 2001 Colonel Selection Board would have been definitely unlikely, even if the documents in question had been in your record. Further, they noted that you could have provided copies, had you noticed they were missing when you checked your record before the selection board convened. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1600

MMOA-4

30 Aug 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Subj: BCNR PETITION FOR LIEUTENANT COLONEL [REDACTED]  
[REDACTED] 32 USMC

Ref: (a) MMER Request for Advisory Opinion in the case of  
Lieutenant Colonel [REDACTED]  
USMC of 29 Jul 00

1. Recommend disapproval of Lieutenant Colonel [REDACTED] request for removal of his failure of selection.
2. Per the reference, we reviewed Lieutenant [REDACTED] record and petition. He failed selection on the FY01 USMC Colonel Selection Board. His petition implies that the absence of letters in his Official Military Personnel File from the Commandant of the Marine Corps stating that he had screened for command in FY96 and FY97 resulted in his failure of selection. Lieutenant Colonel [REDACTED] requests removal of his failure of selection.
3. In our opinion, the presence of the command screening letters in Lieutenant Colonel [REDACTED] record would have increased the competitiveness of the record. However, lack of command as a lieutenant colonel combined with lack of Top Level School more than likely led to his failure of selection. Therefore, we recommend disapproval of Lieutenant [REDACTED]'s request for removal of his failure of selection.
4. Point of contact is [REDACTED]

[REDACTED]  
Colonel, U.S. Marine Corps  
Head, Officer Assignments Branch  
Personnel Management Division